

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

Maine State Retirement System	150,000
Social Security	170,000
2035 - Soil Conservation Contractual Services	10,319
2040 - Duplicating Department Contractual Services	2,000
Commodities	2,600
2050 - Volunteer Firefighters Insurance Contractual Services	1,100
2080 - Contingent Account	19,000
2081 - Salary Reserve Personal Services	55,640
TOTAL GENERAL FUND	\$5,338,304

; and be it further

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1994. The following is a summary of revenues and appropriations:

Total Appropriations	\$5,338,304
Available Credits:	
Estimated Revenue	\$946,301
Community Corrections	100,000
Transfer from Surplus	1,000,144
Total Available Credits	2,046,445
Amount to be raised by taxation	\$3,291,859

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 7, 1994.

CHAPTER 67

H.P. 1193 - L.D. 1590

Resolve, to Direct the Department of Environmental Protection to Collect, Review and Develop Information for Use in Implementing the Clean Air Act

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the United States Congress created the Ozone Transport Region in an attempt to address the problem of ozone air quality violations in the northeast and placed the 12 states from Maryland to Maine, and the District of Columbia, in the Ozone Transport Region; and

Whereas, the deadlines for engineering, purchasing and installing controls are fast approaching; and

Whereas, Maine's companies and businesses should not be required to install emissions controls in the absence of an adequate scientific demonstration that the controls will help reduce ozone, in any meaningful way, in the nonattainment areas of the State; and

Whereas, there does not yet exist such a scientific demonstration; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Information request; collection. Resolved: That, not later than June 1, 1994, the Department of Environmental Protection shall submit a written request to the United States Environmental Protection Agency to provide to the department written guidance regarding the information that must be submitted by the State to the Environmental Protection Agency to demonstrate whether the control of emissions in Maine or in any region of the State will significantly contribute to attainment of the federal ozone ambient air quality standard pursuant to the federal Clean Air Act, 42 United States Code, Section 7506a(a)(2).

The Department of Environmental Protection shall collect and review available information, assess on-going efforts to develop information and develop additional information as may be required by the United States Environmental Protection Agency to determine whether emissions controls in the State or in any region of the State will significantly contribute to attainment of the federal ozone ambient air quality standard pursuant to the federal Clean Air Act.

By January 15, 1995, the department shall submit to the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters a progress report that describes its efforts and those of the United States Environmental Protection Agency to carry out the activities required in this section.

This resolve does not indicate legislative intent to request or support action to opt out all or any part of the State from the Ozone Transport Region nor does it indicate a legislative retreat from support of the state health-based ozone standard.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 8, 1994.

CHAPTER 68

H.P. 1397 - L.D. 1906

Resolve, Authorizing the State to Release its Interest in Certain Real Property in Belfast

Sec. 1. Authority to convey. Resolved: That the Director of the Bureau of Public Lands shall convey to the First Church of Christ, Scientist, the State's interest in a certain parcel of land, together with the church edifice thereon, in Belfast. All transfer documents related to the conveyance must be prepared by the First Church of Christ, Scientist for review and approval by the bureau. The parcel of land is described as follows:

First Parcel: A certain parcel of land on Searsport Avenue in East Belfast, Maine, described as follows: Beginning at the road on the line of Frank B. Strout and William Vaughan running along the road in a northwesterly direction 260 feet; thence easterly 193 feet to line of said Strout and Vaughan; thence southerly along said line 235 feet to an iron bolt at the corner of the lines of said Strout and Vaughan; thence westerly along the line of said Strout and Vaughan 79 feet to the road or place of starting.

Second Parcel: A certain parcel of land and buildings thereon described as follows, and being situated in said Belfast, Maine: Beginning 35 feet from an iron bolt at the northwest corner of land deeded to Lucy A. Strout by John H. Stephenson on the line between land of Frank B. Strout and land deeded to Trinity Reformed Church by William Vaughan at an iron bolt, Northeasterly 23 feet to an iron bolt; thence Northwesterly 36 feet to boundary line between land of Frank B. Strout and land deeded to Trinity Reformed Church by William Vaughan, containing two rods, more or less.

See title page for effective date.

CHAPTER 69

H.P. 1465 - L.D. 1991

Resolve, to Clarify the Transfer of Certain State Lands to the Maine Veterans' Homes

Sec. 1. Resolve 1991, c. 74, §1, first ¶, last sentence, amended. Resolved: That Resolve 1991, c. 74, §1, first ¶, last sentence is amended to read:

The director may convey this parcel only in a deed containing the following conditions ~~requiring reversion of the entire interest and title to the State if:~~

; and be it further

Sec. 2. Resolve 1991, c. 74, §1, sub-§§1 to 3, repealed and replaced. Resolved: That Resolve 1991, c. 74, §1, sub-§§1 to 3 are repealed and the following enacted in their place:

1. The parcel may be used to provide security for the issuance of bonds to finance the construction of veterans' homes in Caribou, Scarborough, Bangor and South Paris, authorized by the Maine Revised Statutes, Title 37-B, section 601;

2. Title to the parcel reverts to the State when all bonds described in subsection 1 mature and all outstanding principal, interest and premium, if any, on the bonds has been paid to bondholders and any indenture mortgage securing the bonds has been defeased. If the parcel is sold at foreclosure or is conveyed by deed in lieu of foreclosure, title to the parcel passes free and clear of any reversionary rights of the State under this resolve and these rights are automatically terminated upon that conveyance;

3. The Maine Veterans' Homes may not encumber the parcel with any mortgage, lien or other financial obligation other than that necessary in the opinion of the Maine Veterans' Homes to provide security for the bonds described in subsection 1. The Maine Veterans' Home shall use every means in its power to repay and discharge the mortgage indebtedness and other obligations secured by the parcel and to obtain and record a discharge thereof when repaid;

4. If title to the parcel has reverted to the State pursuant to this deed, the Director of the Bureau of General Services shall lease the parcel to the Maine Veterans' Homes and this lease continues for as long as the parcel is used for the purposes associated with the maintenance of a veterans' home in Bangor; and